

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue (Endowments) Department – Sri Ch. Mallikarjuna Bhanu, Assistant Commissioner, Endowments Department (Retired) – Punishment of 5% cut in pension for a period of one year imposed – O.A.No.6761/2009 filed in Andhra Pradesh Administrative Tribunal, Hyderabad to set aside the punishment – Implementation of orders of the Andhra Pradesh Administrative Tribunal – Orders – Issued.

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REVENUE (VIGILANCE-IV) DEPARMENT

G.O.Rt.No. 1556

Dated:01.11.2012.

Read the following:-

- 1) G.O.Rt.No.1878, Revenue (Vig.IV) Department, dt.01.10.2008.
- 2) From the A.P.A.T., Hyderabad orders dt.05.03.2012 in O.A.No.6761/2009 filed by Sri Ch.Mallikarjuna Bhanu, Assistant Commissioner (Retired).

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ORDER:-

Based on the report of Director General, Anti-Corruption Bureau, dt.07.01.2005 against Sri Ch.Mallikarjuna Bhanu, former Superintendent and Incharge Assistant Commissioner, Endowments Department, Eluru, West Godavari District, a regular enquiry into the allegations was conducted. After following the due procedure as per Rule 9 of A.P. Revised Pension Rules, 1980 by the Commissioner, Endowments Department, A.P., Hyderabad and since the Charged Officer retired from service, after examining the matter carefully by the Government, orders were issued vide G.O.Rt.No.1878, dt.01.10.2008 imposing the punishment of 5% cut in pension for a period of one year against Sri Ch.Mallikarjuna Bhanu, Assistant Commissioner, Endowments Department (Retired)

2. Aggrieved by the above orders of Government, the individual Sri Ch.Mallikarjuna Bhanu, Superintendent and (I/c) Assistant Commissioner of Endowments (Retired), Eluru, West Godavari District has filed O.A.No.6761/2009 in A.P. Administrative Tribunal to suspend the G.O.Rt.No.1878, Revenue (Vig.IV) Department, dt.01.10.2008 and the Hon'ble A.P.Administrative Tribunal in its order dt.05.03.2012 have set aside the orders issued in G.O. 1st read above on the following grounds:-

"It is contended by the respondents that the applicant acquired the properties between 1982-1990, no specific days have been given as to when the transaction took place for acquiring the properties. According to Rules, it is sufficient if the Government servant intimates the Government about the acquisition of property. According to the amendment to the Rule 9 through G.O.Ms.No.26 dated 28.01.1998, prior intimation to the Government is necessary before acquisition of the property. But since there is no material as to when the property was acquired by the applicant and as he furnished information to the Government in the property statement of 1987-1992, the applicant is not liable for holding that the misconduct against him is proved. In the light of the above circumstances, the impugned proceedings are liable to be set aside.

(P.T.O.)

: 2 :

In the result, the O.A. is allowed. The impugned G.O.Rt.No.1878, Revenue (Vig.IV) Department, dt.01.10.2008 issued by the 1st respondent imposing a punishment of 5% cut in pension for a period of one year is set aside.

3. After careful examination of the matter and keeping in view the orders of the Hon'ble Andhra Pradesh Administrative Tribunal in the reference 2nd read above, Government have decided to implement the said orders of Hon'ble Andhra Pradesh Administrative Tribunal. Accordingly, Government hereby order that the orders issued vide G.O.Rt.No.1878, Revenue (Vig.IV) Department, dt.01.10.2008 imposing a punishment of 5 % cut in pension for a period of one year against Sri Ch.Mallikarjuna Bhanu, Superintendent and (I/c) Assistant Commissioner of Endowments, Eluru, West Godavari District be cancelled.

4. The Commissioner, Endowments Department, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHITRA RAMCHANDRAN
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri C.Mallikarjuna Bhanu, Superintendent and
(I/c) Assistant Commissioner of Endowments,
Eluru, West Godavari District **through**
the Commissioner, Endowments Department,
Hyderabad.

The Commissioner, Endowments Department, Hyderabad.

Copy to:

The O.S.D. to Minister (Endowments).

The P.S. to Principal Secretary (Endowments).

S.c./ S.f.

// FORWARDED :: BY ORDER //

SECTION OFFICER